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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,820	04/02/2001	Said El Fassi	P07156US00/RFH	8066
881	7590	11/17/2005	EXAMINER	
STITES & HARBISON PLLC 1199 NORTH FAIRFAX STREET SUITE 900 ALEXANDRIA, VA 22314			ZIA, SYED	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 09/822,820</p>	<p>Applicant(s) EL FASSI ET AL.</p>	
	<p>Examiner Syed Zia</p>	<p>Art Unit 2131</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: -None-.
Claim(s) objected to: -None-.
Claim(s) rejected: 1-9.
Claim(s) withdrawn from consideration: -None-.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.

Attachment to Advisory Action

This office action is in response to after-final amendment filed on September 29, 2005.

Applicant's request for consideration has been fully considered but they are not persuasive because of the following reasons:

Applicant amended independent claims. These amendments require further consideration because either scope of the claims has been changed when interpreting existing claim limitation in conjunction with amended limitation, or amendment does not place the application in condition for allowance, some examples are:

Claim 1 line 3) “each suitable for... so as to provide input data codes...”

Claim 1, line 11) “...controlling the processor; said verifying being at least partly based on said input data codes and the code computed by the peripheral for each elementary operation performed by the processor, while the processor... functional values of the encoded data”.

Response to Arguments

Applicant's arguments filed on September 29, 2005 have been fully considered but they are not persuasive because of the following reasons:

Regarding Claims 1-9 applicants argued that the cited prior art (CPA) [Veil et al. U. S. Patent No. 6,092,202] that, “*the security co-processor of cited prior art does not compute codes within the meaning of that word as claimed in the claims but rather merely encrypts sensitive*

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data,” and also argued that “the security co-processor of the cited prior art is not concerned with error detection with respect to system behavior, and, does not receive at least the input data codes, the operands, and the nature of the operation for each elementary operation performed by the main processor,” and cited prior art does not “compute a code for each elementary operation performed by the processor, or verify proper operation of all or part of the executed program .” Applicant also argued that the cited prior art does not teach, “ *wherein the security co-processor and the computer process different data”*.

This is not found persuasive. Cited prior art clearly teaches system and method for where an interface interfaces a security coprocessor to a host computer. The interface includes the communication protocol for restricting access by the host computer to the data transmitted through the coprocessor. Secure transaction processing is performed locally in the security coprocessor and non-secure transaction processing is performed in the host computer. In the system of cited prior art the data transmitted through the security coprocessor includes sensitive data such as personal and personal identification data. The interface communication protocol is implemented in application programming interface. A trusted input device such as keyboard and keypad is connected to the coprocessor. The input device includes a secure mode indicator for indicating secure mode in response to requests from host computer for keyboard entries of sensitive data. Thus, in the system of cited prior art the transactions are protected from unauthorized intrusion. Smart card require built-in function only for storing sensitive data including account number and private key. Smart cards carry biometric data for reliable proof of participation and cardholder verification (col.7 line 28 to col.11 line 44).

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As a result, the system of cited prior art provides a system and method for a secure computer system as broadly claimed in system.

Applicants still have failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts.

The examiner is not trying to teach the invention but is merely trying to interpret the claim language in its broadest and reasonable meaning. The examiner will not interpret to read narrowly the claim language to read exactly from the specification, but will interpret the claim language in the broadest reasonable interpretation in view of the specification. Therefore, the examiner asserts that cited prior art does teach or suggest the subject matter broadly recited in independent and dependent claims. Accordingly, rejections for Claims 1-9 are respectfully maintained.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SZ

November 05, 2005

A handwritten signature in black ink, appearing to be "Sma" followed by a date "11/05/05".